

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION


LEE EVANS DUNIGAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:21-cv-00212-JPH-DML
	)	
CURTIS T. HILL,	)	
	)	
Defendant.	)	

**Order**

Plaintiff Lee Dunigan's motion for an order directing Pendleton Correctional Facility staff to release his stimulus check, dkt. [9], is **denied**. The motion is understood to seek injunctive relief. But his request regarding the stimulus check is not related to the claims in this case and Pendleton Correctional Facility staff are not parties to this case. *De Beers Consol. Mines v. United States*, 325 U.S. 212, 220 (1945) (A preliminary injunction is not appropriate when "it deals with a matter lying wholly outside the issues in the suit."). Further, preliminary relief is not yet available to the plaintiff because "[a]n injunction, like any 'enforcement action,' may be entered only against a litigant, that is, a party that has been served and is under the jurisdiction of the district court." *Maddox v. Wexford Health Sources, Inc.*, 528 Fed. Appx. 669, 672 (7th Cir. 2013) (quoting *Lake Shore Asset Mgmt., Ltd. v. Commodity Futures Trading Comm'n*, 511 F.3d 762, 767 (7th Cir. 2007)).

**SO ORDERED.**

Date: 3/4/2021

  
James Patrick Hanlon  
United States District Judge  
Southern District of Indiana

Distribution:

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